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*Attorneys for Defendants Citigroup  
Global Markets Inc., Merrill Lynch,  
Pierce, Fenner & Smith Incorporated,  
Morgan Stanley & Co. Incorporated,  
UBS Securities LLC, Wachovia Capital  
Markets, LLC, Banc of America  
Securities LLC, RBC Capital Markets  
Corporation, and J.P. Morgan Securities Inc.*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

KAREN M. BAUER, Individually and on Behalf of All Others Similarly Situated,	:	Civil Action No. 09-1120 (JLL-CCC) Consolidated Action
	:	
Plaintiff,	:	Honorable Jose L. Linares United States District Judge
	:	
v.	:	<b>NOTICE OF</b>
	:	<b><u>MOTION TO DISMISS</u></b>
PRUDENTIAL FINANCIAL, INC., et al.	:	(Electronically Filed Document)
	:	
Defendants.	:	
	:	

TO: Attorneys of Record

COUNSEL:

PLEASE TAKE NOTICE THAT, pursuant to the April 9, 2009 Stipulation and Order Extending Time to Respond to Complaint, on January 19, 2010 at 9:00 A.M. in the forenoon, or as soon thereafter as counsel may be heard, defendants Citigroup Global Markets Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, Morgan Stanley & Co. Incorporated, UBS Securities LLC, Wachovia Capital Markets, LLC, Banc of America Securities LLC, RBC Capital Markets Corporation, and J.P. Morgan Securities Inc. (collectively, the “Underwriter Defendants”) shall move before the Honorable Jose L. Linares, U.S. District Court, M.L. King, Jr., Federal Bldg. & Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 9(b), dismissing with prejudice Plaintiff’s Consolidated Class Action Complaint.

PLEASE TAKE FURTHER NOTICE that the Underwriter Defendants rely upon the Memorandum of Law submitted herewith as well as the Memorandum of Law and other submissions by the Prudential Defendants. A proposed Order is also submitted.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Respectfully submitted,

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By: s/ Jeffrey J. Greenbaum  
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Dated: September 21, 2009